

**HEALTH**

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***Healthy Living:* Is a ban on smoking while driving while kids are in the car on its way?**

By: Casey J. Bortnick

Smoking is already banned in restaurants, bars, and other public places and if a New York City Lawmaker and a powerful cancer fighting organization have their way, it could be banned in vehicles as well. The American Cancer Society wants a law that would fine New Yorkers who smoke and drive with kids under 14 in the car to be proposed a third time.

"It's my choice," said Paul DiVincenzo of Rochester.

Some say smoking is a personal freedom. A habit that is hazardous to your health but protected under the law.

"I know of the health risks and I'm willing to accept those," DiVincenzo said.

Smoking in New York may be legal, but there are fewer places to smoke than ever before. Under a law most recently proposed by Assemblyman David Weprin, smokers could lose one more place: their car.

"I don't need the legislators to keep telling me no, no, you're a bad person," said DiVincenzo.

The legislation would fine drivers who smoke with kids in the car \$100, even if the windows are rolled down. Those in favor of the proposal say there are already several laws requiring parents to keep their kids safe in an automobile. According to the American Cancer Society, this would simply be one more.

"One thing we know is the powerful carcinogenic effects of secondhand smoke," said American Cancer Society Regional Vice President Matt Flanigan. "This legislation would greatly reduce that exposure for children, sometimes who are too young to even advocate for themselves that they don't want secondhand smoke in their life."

The bill stalled in the New York State Legislature, but those in favor of it hope lawmakers will reconsider in August.

"I'm not certain of how I would vote," said State Senator Joe Robach (R-Greece).

Robach is on the fence, but says the key to passing this bill is simple.

"Usually if the public is behind something very much, or not behind it, that will dictate the direction we go with it," Robach said.

"I don't expose my kids to second hand smoke," said Tara Rankin of Pittsford.

Rankin said there's no question smoking with kids in the car is dangerous.

"The smoke itself in a confined space? I would imagine that would just aggravate the situation," Rankin said.

While she's a strong supporter of the measure, even Rankin thinks this kind of ban is still years away.

"I don't think it will pass. But I would like it to," Rankin added.

Four other states have already passed similar laws: Maine, Louisiana, Arkansas and California.

The EPA estimates that secondhand smoke causes up to 62,000 deaths each year among nonsmokers. Three hundred thousand children nationwide develop respiratory infections each year as a result of exposure to secondhand smoke.